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Attorneys for Plaintiff

UNITED STATE DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

STACY ORLICK, on behalf of  
herself and all others similarly  
situated,

Plaintiffs,

vs.

RAWLINGS SPORTING  
GOODS CO., INC., a Delaware  
Corporation, and DOES 1-10,  
inclusive,

Defendants.

CASE NO. CV 12-6787 GHK (RZx)

**STIPULATION TO TRANSFER ACTION  
PURSUANT TO 28 U.S.C. § 1404(a)**

CTRM: 650  
JUDGE: HON. George H. King  
MAGISTRATE: Ralph Zarefsky

DATE OF FILING : AUGUST 7, 2012

TRIAL DATE: None

WHEREAS, on April 27, 2012, Rawlings Sporting Goods Co., Inc. ("Rawlings") filed a Notice of Removal of Case No. BER-L-2427-12 in the United States District Court for the District of New Jersey ("the New Jersey action"). The

STIPULATION TO TRANSFER

1 New Jersey action (Case No. 2:12-cv-02531-WJM-MF) sought to certify a  
 2 nationwide class of consumers who purchased a Rawlings Power Balance Bracelet;

3 WHEREAS, on August 7, 2012, Plaintiff Stacy Orlick ("Orlick"), on behalf  
 4 of herself and all others similarly situated, filed this action against Rawlings in the  
 5 United States District Court for the Central District of California ("the California  
 6 action"). Similar to the New Jersey action, the California action (Case No. CV 12-  
 7 6787-GHK-RZx) also sought to certify a nationwide class of consumers who  
 8 purchased a Rawlings Power Balance Bracelet.

9 WHEREAS, both parties agree that both the New Jersey action and the  
 10 California action involve the same defendant, and substantially similar claims, and  
 11 therefore the convenience of parties and witnesses justifies transfer of the California  
 12 action to the District of New Jersey;

13 WHEREAS, in light of a tentative settlement agreement in the New Jersey  
 14 action, Plaintiff in the California action and Rawlings agree to transfer the  
 15 California action to the District of New Jersey to be consolidated with the New  
 16 Jersey Action for all purposes;

17 WHEREAS, transferring the California action to the District of New Jersey  
 18 will best serve the interests of judicial economy, and no party will be prejudiced,  
 19 nor will the Court, by the proposed transfer set out herein; therefore

20 IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

21 This action, entitled *Stacy Orlick, on behalf of herself and all others similarly*  
 22 *situated, Plaintiff, vs. Rawlings Sporting Goods Co., Inc., a Delaware Corporation,*  
 23 *and DOES 1-10, inclusive, Defendants,* Case No. 2:12-cv-06787-GHK-RZ,  
 24 currently pending in the United States District Court, Central District of California,  
 25 shall be transferred pursuant to 28 U.S.C. § 1404(a) to the United States District  
 26 Court, District of New Jersey and consolidated with *Ian Steiner, Individually and*  
 27 *on behalf of those similarly situated, Plaintiff v. Rawlings Sporting Goods*  
 28

1 *Company, Inc., Defendant*, Case No. 2:12-CV-02531-WJM-MF.

2  
3 Dated: May 16, 2013

HEWITT WOLENSKY LLP

4  
5 By: //s// Elizabeth V. McNulty

6 Gary A. Wolensky

7 Elizabeth V. McNulty

8 Patrick Ball

9 Attorneys for Defendant

Rawlings Sporting Goods Co.

10 Dated: May 16, 2013

GLANCY, BINKOW & GOLDBERG LLP

11  
12  
13 By: //s// Marc L. Godino

14 Marc L. Godino

15 Attorney for Plaintiff and Proposed

16 Class: Stacy Orlick

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**PROOF OF SERVICE**

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 4041 MacArthur Blvd., Suite 300, Newport Beach, CA 92660.

On May 16, 2013, I served, in the manner indicated below, the foregoing document described as **STIPULATION TO TRANSFER ACTION PURSUANT TO 28 U.S.C. § 1404(a)** on the interested parties in this action by placing true copies thereof, enclosed in sealed envelopes, at Newport Beach, addressed as follows:

*Please see attached Service List*

- ☐ BY REGULAR MAIL: I caused such envelopes to be deposited in the United States mail at Newport Beach, California, with postage thereon fully prepaid. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the United States Postal Service each day and that practice was followed in the ordinary course of business for the service herein attested to (F.R.C.P. 5(b)(2)(C)).
- ☐ BY FACSIMILE: (F.R.C.P. 5(b)(2)(F))
- ☐ BY FEDERAL EXPRESS: I caused such envelopes to be delivered by air courier, with next day service, to the offices of the addressees (F.R.C.P. 5(b)(2)(F)).
- ☒ BY ELECTRONIC SERVICE: I caused such document to be delivered by electronic service as it has been authorized and agreed upon to service electronically in this action to the parties below, to the email addresses listed below. (F.R.C.P. 5(b)(2)(E))

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on May 16 2013, at Newport Beach, California.

  
Katryn Smith

PROOF OF SERVICE

**Service List**

Orlick vs. Rawlings – CV 12-6787 GHK (RZx)

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